

# FISCAL NOTE

**Bill #:** HB0478

**Title:** Allow for driver license suspension for failure to comply with sentence

**Primary Sponsor:** Peterson, J

**Status:** As Amended in Senate Committee

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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## Fiscal Summary

	<b><u>FY 2004 Difference</u></b>	<b><u>FY 2005 Difference</u></b>
<b>Expenditures:</b>		
General Fund	\$87,992	\$109,409
<b>Revenue:</b>		
General Fund	\$167,541	\$210,135
<b>Net Impact on General Fund Balance:</b>	\$79,549	\$100,726

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|---|--|
| <input checked="" type="checkbox"/> Significant Local Gov. Impact | <input type="checkbox"/> Technical Concerns                      |
| <input type="checkbox"/> Included in the Executive Budget         | <input type="checkbox"/> Significant Long-Term Impacts           |
| <input type="checkbox"/> Dedicated Revenue Form Attached          | <input checked="" type="checkbox"/> Needs to be included in HB 2 |

## Fiscal Analysis

### ASSUMPTIONS:

#### Department of Justice

#### Motor Vehicle Division

1. This bill will allow judges to suspend the license or driving privilege upon failure to comply with any penalty, restriction, or condition of the sentence.
2. In 2001 there were 257,706 cases filed in courts of limited jurisdiction and 33,546 cases filed in district court for a total of 291,252 criminal cases.
3. Historically, 61 percent of the cases filed annually are resolved and require no additional follow up. Thirty-nine percent or 113,588 are non-compliant and will be returned annually to the courts.
4. The courts will order the driver license suspensions of 10 percent of the 113,588 cases, for a total of 11,358 driver license suspensions taken annually by the division.
5. Historically, 60 percent or 6,815 of driver licenses suspended are reinstated within one year.
6. Reinstatements would generate \$127,781 in FY 2004 and \$170,375 in FY 2005. (11,358 x 60% = 6,815 reinstatements x \$25/reinstatement fee = \$170,375)
7. In FY 2004, there will be 0.75 FTE needed at a cost of \$18,068 and 2.00 FTE in FY 2005 to process these additional 18,172 driver license suspension and reinstatement actions.

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(continued)

8. Operating expenses will increase by \$4,828 in FY 2004 and \$7,839 in FY 2005 for supplies, computer processing time, forms, postage, and rent expenses.
9. Administrative expenses will increase \$11,708 in FY 2004 to add new suspension codes and letters to the motor vehicle system application.

**Montana Highway Patrol**

10. The Montana Highway Patrol estimates it will make 497 additional arrests per year at a fine of \$160.
11. The additional revenue totals \$79,520.
12. Fifty-percent or \$39,760 of the revenue will equally go to local governments and the state general fund.
13. Each arrest will result in two days of jail at \$53.71 per day for annual cost of \$53,388.

FISCAL IMPACT:

**Department of Justice**

	<u>FY 2004 Difference</u>	<u>FY 2005 Difference</u>
<b>Motor Vehicle Division-Program 12</b>		
FTE	0.75	2.00

Expenditures:

Personal Services	\$18,068	\$48,182
Operating Expenses	<u>16,536</u>	<u>7,839</u>
TOTAL	\$34,604	\$56,021

Funding of Expenditures:

General Fund (01)	\$34,604	\$56,021
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Revenues:

General Fund (01)	\$127,781	\$170,375
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**Montana Highway Patrol**

Expenditures:

Operating Expenses	\$53,388	\$53,388
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Funding of Expenditures:

General Fund (01)	\$53,388	\$53,388
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Revenues:

General Fund (01)	\$39,760	\$39,760
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Net Impact to Fund Balance (Revenue minus Funding of Expenditures):

General Fund (01)	\$79,549	\$100,726
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EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Local government would experience an increase in revenues from fines resulting from the enforcement of this bill.